



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

NIXON PEABODY LLP  
401 9<sup>TH</sup> STREET, NW  
SUITE 900  
WASHINGTON DC 20004-2128

COPY MAILED

JUN 06 2006

In re Application of

Scott Banister et al

Application No. 10/717,441

Filed: November 18, 2003

Attorney Docket No. 002616-34

OFFICE OF PETITIONS

DECISION ON PETITION  
TO WITHDRAW  
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) or 37 C.F.R. § 10.40 filed January 17, 2006.

The request is **APPROVED**.

A review of the file record indicates that Marc S. Kaufman: (1) does not have power of attorney in this patent application; and (2) has been employed or otherwise engaged in the proceedings in this patent application. In view of the present decision, Marc S. Kaufman, along all of the attorneys associated with Customer No. 22204, has been withdrawn from the present application and may not prepare or submit papers under 37 C.F.R. § 1.34, or correspond in any manner in this application unless appointed in an acceptable power of attorney under 37 C.F.R. § 1.36(b).

The request to change the correspondence of record is not acceptable as the requested correspondence address is not that of: (1) the first named signing inventor; or (2) the intervening assignee of the entire interest. All future communications from the Office will be directed to the first named signing inventor at the first copied address below until otherwise properly notified by the applicant/assignee.

Applicant is reminded that there is no attorney of record at this time.

The application is being referred to Technology Center AU 2154 to await a reply to the Non-final Office action mailed April 4, 2006.

*Karen Creasy*

Karen Creasy  
Petitions Examiner  
Office of Petitions

Conferee: *h*

cc:  
SCOTT BANISTER  
607 FARALOOON AVENUE  
PACIFICA, CA 94044

cc:  
EVAN R. SMITH, SENIOR COUNSEL  
BLANK ROME LLP  
WATERGATE, ELEVENTH FLOOR  
600 NEW HAMPSHIRE AVENUE, N.W.  
WASHINGTON DC 20037